



Planning, Zoning and Building Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: Palm Court Plaza Temporary Modular Radiation Temporary

Project Location: Southwest corner of Linton Blvd and Military Trail (5130 W. Linton Blvd)

Request: Class III Site Plan Modification

Board: Site Plan Review and Appearance Board

Meeting Date: October 11, 2017

Board Action:

Approved the Class III Site Plan Modification, Architectural Elevations and Landscape Plans with two conditions on a 6 to 0 vote.

Project Description:

The subject property is an unplatted 10.09 acre parcel of land located in Township 46 South, Range 42 East, Section 26. The property contains 87,327 square feet of floor area within the existing Palm Court Plaza with a 4,840 square foot outbuilding. The parcel has a Future Land Use Map (FLUM) designation of General Commercial (GC) and is zoned Planned Commercial (PC). The site is currently vacant.

The subject Class III Site Plan Modification is associated with site plan, architectural elevation and landscape plan.

The development proposal consists the following:

- The construction of a 3,441 SF “temporary” radiation therapy center on the vacant future development parcel
- Reconfiguration of the parking area surrounding the immediate temporary building
- Removal of 6 existing Black Olive trees and 1 Live Oak

Board Comments:

Board discussion included the timing of the construction of proposed permanent radiation building at the hospital and the length of operation of the temporary modular building and the reconfiguration of the parking area.

Public Comments:

No public input

Associated Actions:

No actions

Next Action:

The SPRAB action is final unless appealed by the City Commission.

SITE PLAN REVIEW AND APPEARANCE BOARD

CITY OF DELRAY BEACH

---STAFF REPORT---

MEETING DATE: October 11, 2017

ITEM: Palm Court Plaza Temporary Radiation Therapy Facility – Class III Site Plan Modification and Architectural Elevations Associated with the Construction of a 3,441 square foot “temporary” radiation therapy modular building.

RECOMMENDATION: Approval

GENERAL DATA:

Applicant/Owner..... Michael A. Noto, Senior VP,

Agent..... Urban Design Kilday Studios

Location..... Southwest corner of Linton Blvd and Military Trail (15130 W. Linton Blvd)

Property Size..... 10.08 Acres

Future Land Use Map..... GC (General Commercial)

Current Zoning..... PC (Planned Commercial)

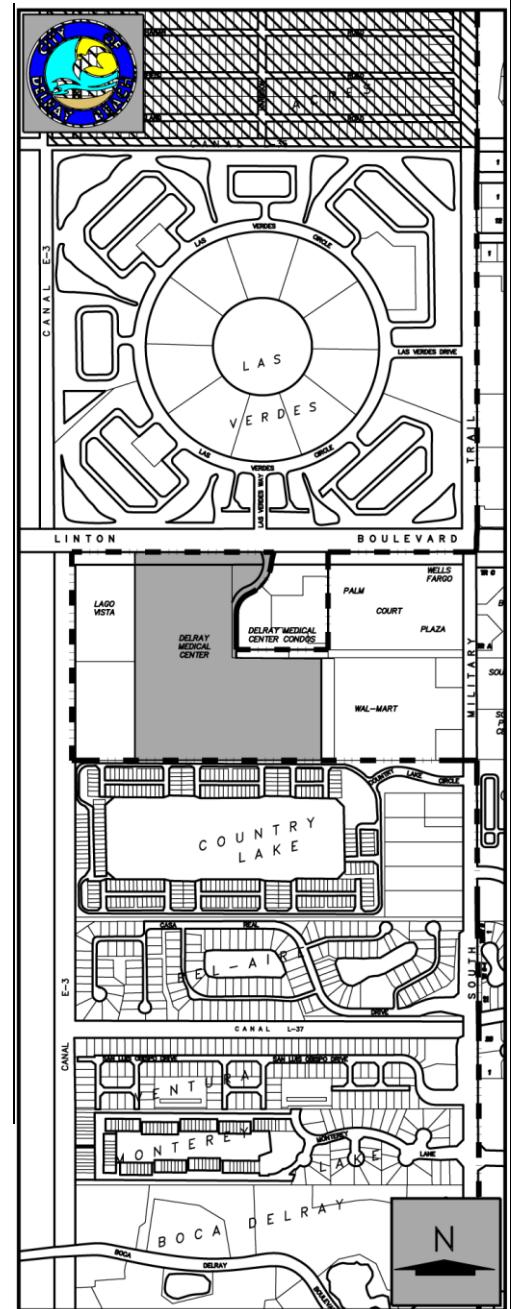
Adjacent Zoning..... North: RM (Multiple Family - Palm Beach County)
East: POC (Planned Office Center) & TRN (Transitional)
South: RS (Residential Single Family - Palm Beach County)
West: RM (Medium Density Residential – Palm Beach County) & CF

Existing Land Use..... Professional Offices

Proposed Land Use..... Construction of a 3,441 square foot temporary radiation therapy modular building

Water Service..... Existing on site.

Sewer Service..... Existing on site.



ITEM BEFORE THE BOARD

The action before the Board is approval of the following aspects of a Class III site plan modification for **Palm Court Plaza Temporary Radiation Therapy Facility**, pursuant to LDR Section 2.4.5(G)(1)(c):

- Site Plan Modification;
- Landscape Plan; and
- Architectural Elevations;

The property is located on the south side of Linton Boulevard, west of Military Trail (5130 Linton Boulevard).

BACKGROUND

The subject property is an unplatted 10.0893 acre parcel of land located in Township 46 South, Range 42 East, Section 26. The property contains 87,327 square feet of floor area within the existing Palm Court Plaza with a 4,840 square foot outbuilding. On February 3, 1981, an Agreement for Water and Sewer Service was executed for the subject property as well as for the adjacent medical office and hospital developments. The shopping center was constructed in 1985 under Palm Beach County's jurisdiction and City water and sewer facilities were extended to the development at that time.

On March 18, 1999, the Agreement for Water and Sewer Service was amended and included paragraphs, which gave consent for future annexation and assessment of a storm water assessment fee. The Agreement was processed in conjunction with a proposal to expand the medical center (Delray Medical center). The agreement states that the overall development will be annexed in phases with the subject property to be annexed by March 31, 2001, Delray Medical Center during the year 2005, Fair Oaks property by 2008, and Lago Vista property by 2011.

At its meeting of August 21, 2000, the Planning and Zoning Board recommended approval of the annexation with an initial zoning of PC (Planned Commercial) District

At its meeting of December 5, 2000, the City Commission approved the City initiated annexation of the shopping center, known as Palm Court Plaza and assigned the PC (Planned Commercial) zoning designation to the subject property. A FLUM amendment from County C/5 (Commercial – 5 units per acre) to City GC (General Commercial) was processed at that time.

A site plan modification application has been submitted to construct a new 3,441 square foot "temporary" radiation therapy modular building, and is now before the Board for consideration.

PROJECT DESCRIPTION

The development proposal incorporates the following:

- The construction of a 3,441 SF "temporary" radiation therapy center on the vacant future development parcel
- Reconfiguration of the parking area surrounding the immediate temporary building
- Removal of 6 existing Black Olive trees and 1 Live Oak

SITE PLAN MODIFICATION ANALYSIS

COMPLIANCE WITH THE LAND DEVELOPMENT REGULATIONS:

Items identified in the Land Development Regulations shall specifically be addressed by the body taking final action on the site and development application/request.

LDR Section 4.3.4(K) Development Standards Matrix:

The following table indicates that the proposal complies with LDR Section 4.3.4(K) as it pertains to the CF zoning district:

The overall site is nonconforming with 9% of vested open space. The proposed temporary building reduces the open space to 8.7%. The development will be returned to its existing condition after the temporary building has terminated its operation and the area will be returned to the vested open space and this is attached as a condition of approval.

Parking:

Pursuant to LDR Section 4.6.9(C)(4)(c), medical offices shall provide 5 parking spaces per 1,000 sq. ft of gross floor area. The proposed building provides 3,441 square feet of area. Based on this ($3,441/1000 \times 5 = 17.205$ required spaces) 21 spaces are provided within the lease line.

The minimum parking required for office is 4 spaces per 1,000 sq. ft. of net floor area up to 3,000 sq. ft. and then 3.5 spaces per 1,000 sq. ft. of net floor area over the initial 3,000 sq. ft. Based on the 42,910 of net floor area office building $(3000/1000 \times 4 = 12 + 39,910/1000 \times 3.5 = 139.685) 12+139.685=151.68$ total spaces required for office.

Pursuant to LDR Section 4.6.9(C)(3)(a), General Commercial Uses, shall provide 4.5 spaces per 1,000 square feet of gross floor area (86,571/1000 x 4.5 =389.57)

The total required parking space for the overall site is 562.25 spaces. Currently, the site provides sufficient parking of 644 parking spaces, 40 of those spaces is handicap, and 4 loading spaces.

Lighting:

The photometric plan submitted has been evaluated. Per LDR Section 4.6.8(A)(3), the photometric plan complies with the City's illumination standards for the required illumination for the parking area and building entrance.

LANDSCAPE ANALYSIS

The landscape plan submitted has been evaluated by the City's Senior Landscape Planner. The landscape plan provides perimeter and building foundation material and calls for various native trees, shrubs and ground cover. The proposed landscape includes six Silver Buttonwoods, one Southern Live Oak, 36 Red Tip Cocoplum shrubs and 65 Green Island Ficus shrubs along with 167 dwarf Schillings Holly shrubs. The proposed landscape plan complies with the City's Land Development Regulations (Section 4.6.16). The development plan identifies numerous trees that will be removed. These are comprised primarily of Black Olive trees and one Live Oak. To the greatest extent possible, these trees should be relocated on the property. Consequently, a condition of approval is attached that a certified arborist report be submitted regarding the viability of relocating the native trees to other areas of the property and replace the proposed oak trees in the area of the proposed building.

ARCHITECTURAL ELEVATIONS

Pursuant to LDR Section 4.6.18(E), the following criteria shall be considered by the Site Plan Review and Appearance Board in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved.

- (1) The plan or the proposed structure is in conformity with good taste, good design, and in general, contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.
- (2) The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.
- (3) The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.

The architecture of the new building is a "temporary" modular building. The primary colors of the building is stucco painted beige and blue. An aluminum canopy is proposed at the corner of the east and north elevation. The modular design of the building is consistent with the existing architecture found on the hospital campus. Based on the above, a positive finding with respect to LDR Section 4.6.18(E) can be made.

REQUIRED FINDINGS

Pursuant to Section 3.1.1 (Required Findings), prior to the approval of development applications, certain findings must be made in a form which is part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application. These findings relate to the following areas:

Section 3.1.1 (A) - Future Land Use Map:

The subject property has a CF (Community Facility) Future Land Use Map and Zoning Map designation. Pursuant to the LDR Section 4.4.21(G)(1)(a)(1), hospitals are allowed as permitted uses in the CF zoning district. Based upon the above, a positive finding can be made with respect to consistency with the Future Land Use Map designation.

Section 3.1.1 (B) - Concurrency:

As described in Appendix A, a positive finding of concurrency can be made as it relates to water, sewer, streets and traffic, drainage, parks and recreation, open space, solid waste, and schools.

Section 3.1.1 (C) - Consistency (Standards for Site Plan Actions):

As described in Appendix B, a positive finding of consistency can be made as it relates to Standards for Site Plan Actions.

Section 3.1.1 (D) - Compliance With the Land Development Regulations:

As described under the Site Plan Analysis of this report, a positive finding of compliance with the LDRs can be made, when all outstanding items attached as conditions of approval are addressed.

Section 2.4.5 (F)(5) - Compatibility (Site Plan Findings): The approving body must make a finding that development of the property pursuant to the site plan will be compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values.

The subject property is bordered to the north and west by RM (Multiple Family – Palm Beach County) zoning, on the south by RS (Residential Single Family – Palm Beach County) and on the east of CG (Commercial General – Palm Beach County) and PC (Planned Commercial). The surrounding uses are multiple family residential to the north, south, and west and commercial to the east.

The proposed building addition will not impose any significant detrimental impacts on surrounding properties.

Comprehensive Plan Policies:

A review of the objectives and policies of the adopted Comprehensive Plan was conducted and the following is noted:

Transportation Element Policy D-2.2: Bicycle parking and facilities shall be required on all new development and redevelopment. Particular emphasis is to be placed on development within the TCEA Area.

The development proposal includes a bicycle rack along the north side of the hospital. Based on the above, the policy has been met within the proposed development.

Future Land Use Element Objective A-1 - Property shall be developed or redeveloped in a manner so that the future use and intensity is appropriate and complies in terms of soil,

topographic, and other applicable physical considerations, is complimentary to adjacent land uses, and fulfills remaining land use needs.

The proposed building will result in no significant increase in the intensity of the plaza since the temporary medical office is temporary.

REVIEW BY OTHERS

The development proposal is not located in an area that requires review by the CRA (Community Redevelopment Agency) or DDA (Downtown Development Authority).

Courtesy Notices:

Special courtesy notices were provided to the following homeowners and civic associations:

- Delray Citizen's Coalition
- Alliance of Delray
- Neighborhood Advisory Council
- Country Lake Homeowners
- Citation Club
- Shadywoods
- Hammock Reserve
- Lakeview Civic
- Sherwood Park Civic Association

Letters of support and objection, if any, will be presented at the SPRAB meeting.

ASSESSMENT AND CONCLUSION

The development proposal consists of a new temporary building for radiation therapy. The temporary modular building is located interior to the property and will not be visible from a public right-of-way. The cutting-edge cancer fighting technology will provide a needed service to the people of South Florida. The proposed building addition will have an insignificant impact on the surrounding area and public services due in part to the technology employed within the building. Approximately 50% of the building is comprised of mechanical equipment and the width of the interior walls. The development will be consistent with Chapter 3 and Section 2.4.5(F)(5) of the Land Development Regulations, and policies of the Comprehensive Plan provided the conditions of approval are addressed.

ALTERNATIVE ACTIONS

- A. Postpone with direction.
- B. Move approval of the request for Class III site plan modification, landscape plan, and architectural elevations for **Delray Beach Radiation Therapy Center**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Sections 2.4.5(F)(5) and Chapter 3 of the Land Development Regulations, subject to the attached conditions of approval.
- C. Move approval with conditions of the request for Class III site plan modification, landscape plan, and architectural elevations for **Delray Beach Radiation Therapy Center**, by adopting the findings of fact and law contained in the staff report, and finding that the

request is consistent with the Comprehensive Plan and meets criteria set forth in Sections 2.4.5(F)(5) and Chapter 3 of the Land Development Regulations.

D. Move denial of the request for Class III site plan modification, landscape plan, and architectural elevations for **Delray Beach Radiation Therapy Center**, by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Sections 2.4.5(F)(5) and Chapter 3 of the Land Development Regulations.

STAFF RECOMMENDATION

By Separate Motions:

Site Plan:

Move approval of the Class IV site plan modification for **Delray Beach Radiation Therapy Center** by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(F)(5) and Chapter 3 of the Land Development Regulations, subject to the following condition:

1. That the development be returned to its current configuration following removal of the temporary office.

Landscape Plan:

Move approval of the landscape plan for the **Delray Beach Radiation Therapy Center** by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Sections 4.6.16 of the Land Development Regulations, subject to the following condition:

1. That a certified arborist report be submitted regarding the viability of relocating the native trees to other areas of the property and replace the proposed oak trees in the area of the proposed building prior to site plan certification. The relocation of these trees shall be subject to the approval of Senior Landscape Planner.

Elevations:

Move approval of the architectural elevations for **Delray Beach Radiation Therapy Center** by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 4.6.18(E) of the Land Development Regulations.

Attachments:

- Appendix A
- Appendix B
- Site Plan, Landscape Plan, and Building Elevations

Report prepared by: Scott D. Pape, Principal Planner, AICP

APPENDIX A
CONCURRENCY FINDINGS

Pursuant to Section 3.1.1(B) Concurrency as defined pursuant to Objective B-2 of the Land Use Element of the Comprehensive Plan must be met and a determination made that the public facility needs of the requested land use and/or development application will not exceed the ability of the City to fund and provide, or to require the provision of, needed capital improvements for the following areas:

Water and Sewer: Water service is available via service lateral connections to an existing 12" water main along Military Trail and a 10" water main along Linton Boulevard.

Sewer service is available via service lateral connection to an existing 12" force main along the east side of the property to a 12" force main along Military Trail.

Fire protection is provided via numerous fire hydrant connections located throughout the hospital complex

Pursuant to the Comprehensive Plan, treatment capacity is available at the City's Water Treatment Plant and the South Central County Waste Water Treatment Plant for the City at build-out. Based upon the above, positive findings can be made with respect to this level of service standard.

Drainage: Drainage is to be accommodated via sheet flow to catch basins with outfall to the existing retention ponds on the property. There are no problems anticipated in complying with SFWMD requirements and thus, obtaining a surface water permit.

Streets and Traffic: A traffic study has been submitted that indicates the proposed development will generate an additional 112 net new external daily trips, 7 net new external AM peak-hour trips (5 in, 2 out) and an increase of 13 net new PM peak-hour trips (4 in, 9 out). A finding of concurrency has been received from the Palm Beach County Traffic Engineering Division.

Solid Waste: The 3,441 square foot temporary radiation therapy addition will generate 48.125 tons of solid waste per year (38,500 sq. ft. x 2.5 = 96,250 lbs. per sq. ft. / 2,000 lbs. = 48,125 tons). The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals till the year 2024, thus a positive finding with respect to this level of service standard can be made.

Parks and Recreation Facilities: Park dedication requirements do not apply for non-residential uses. Thus, the proposed development will not have an impact with respect to this level of service standard.

Schools: The project contains no residential component. Therefore, school concurrency is not applicable.

APPENDIX B
STANDARDS FOR SITE PLAN ACTIONS

A. Building design, landscaping, and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.

Not applicable _____
Meets intent of standard X
Does not meet intent _____

B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists, and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.

Not applicable _____
Meets intent of standard X
Does not meet intent _____

C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.

Not applicable X
Meets intent of standard _____
Does not meet intent _____

D. The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted.

Not applicable X
Meets intent of standard _____
Does not meet intent _____

E. Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations.

Not applicable X
Meets intent of standard _____
Does not meet intent _____

F. Property shall be developed or redeveloped in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs.

Not applicable _____
Meets intent of standard X

Does not meet intent _____

G. Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile, and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element.

Not applicable

Meets intent of standard _____

Does not meet intent _____

H. The City shall consider the effect that the proposal will have on the stability of nearby neighborhoods. Factors such as noise, odors, dust, traffic volumes and circulation patterns shall be reviewed in terms of their potential to negatively impact the safety, habitability and stability of residential areas. If it is determined that a proposed development will result in a degradation of any neighborhood, the project shall be modified accordingly or denied.

Not applicable _____

Meets intent of standard

Does not meet intent _____

I. Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.

Not applicable

Meets intent of standard _____

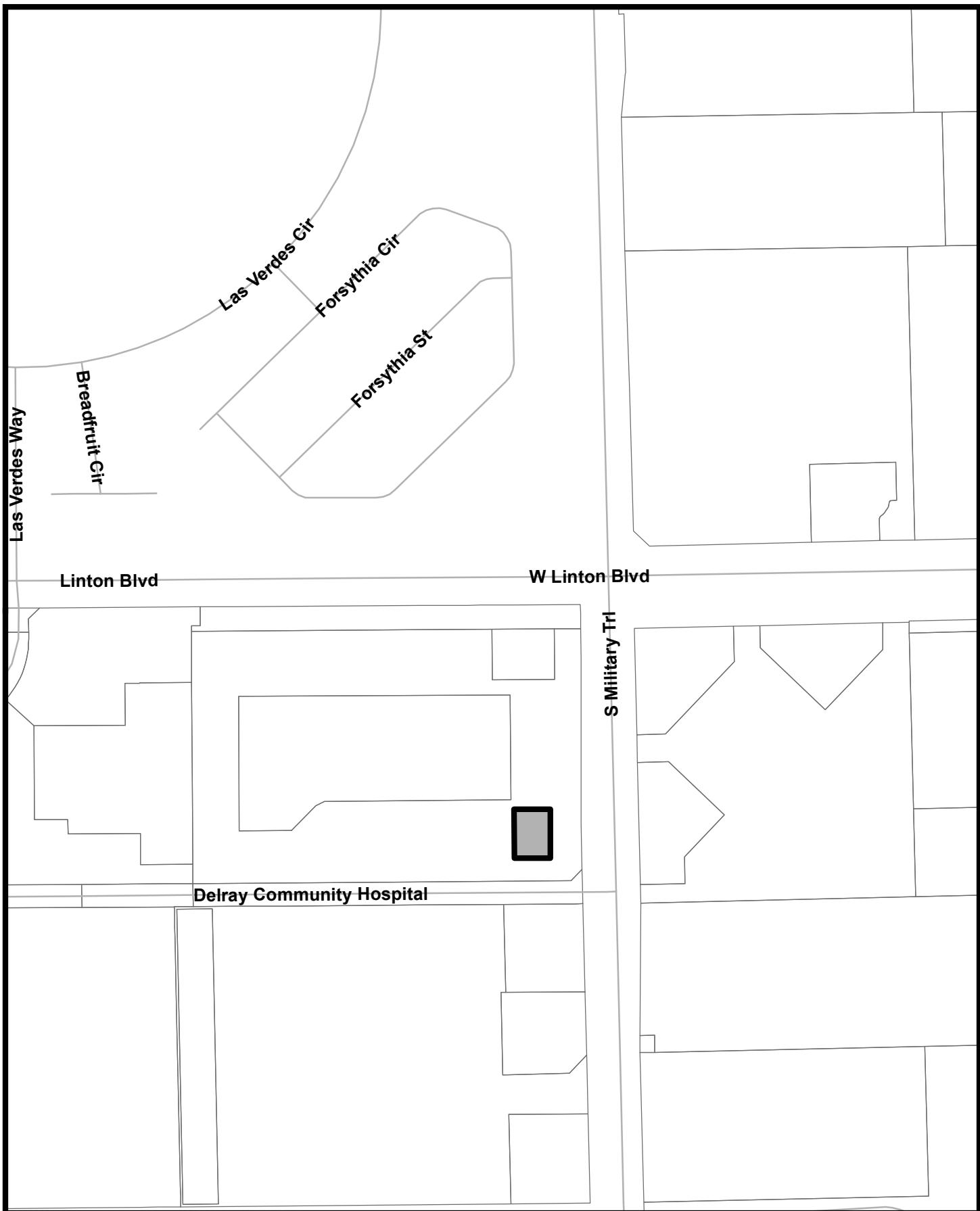
Does not meet intent _____

J. Tot lots and recreational areas, serving children from toddler to teens, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.

Not applicable

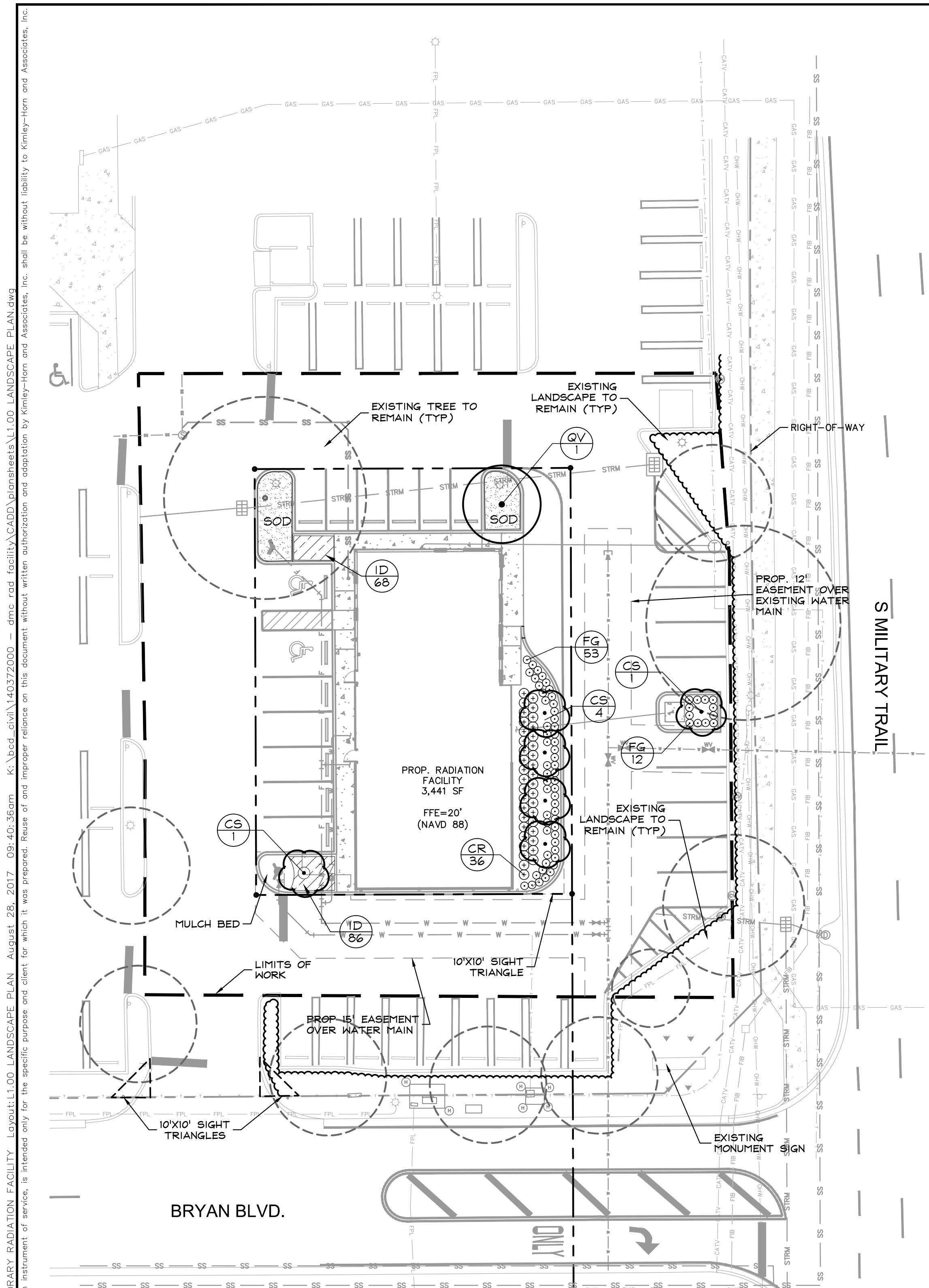
Meets intent of standard _____

Does not meet intent _____



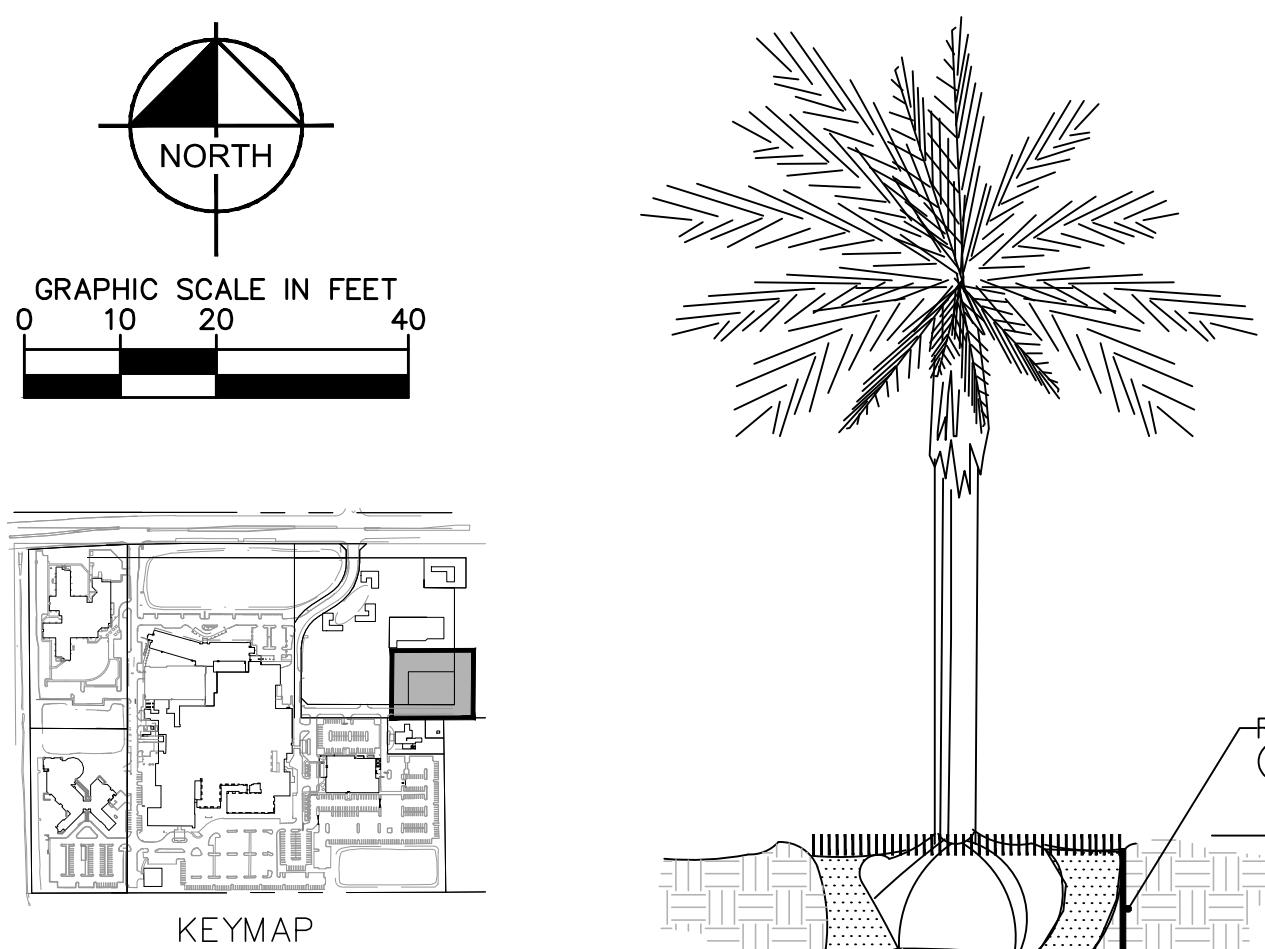
**5130 W. Linton Blvd.
LOCATION MAP**

 Subject Property



PLANT SCHEDULE

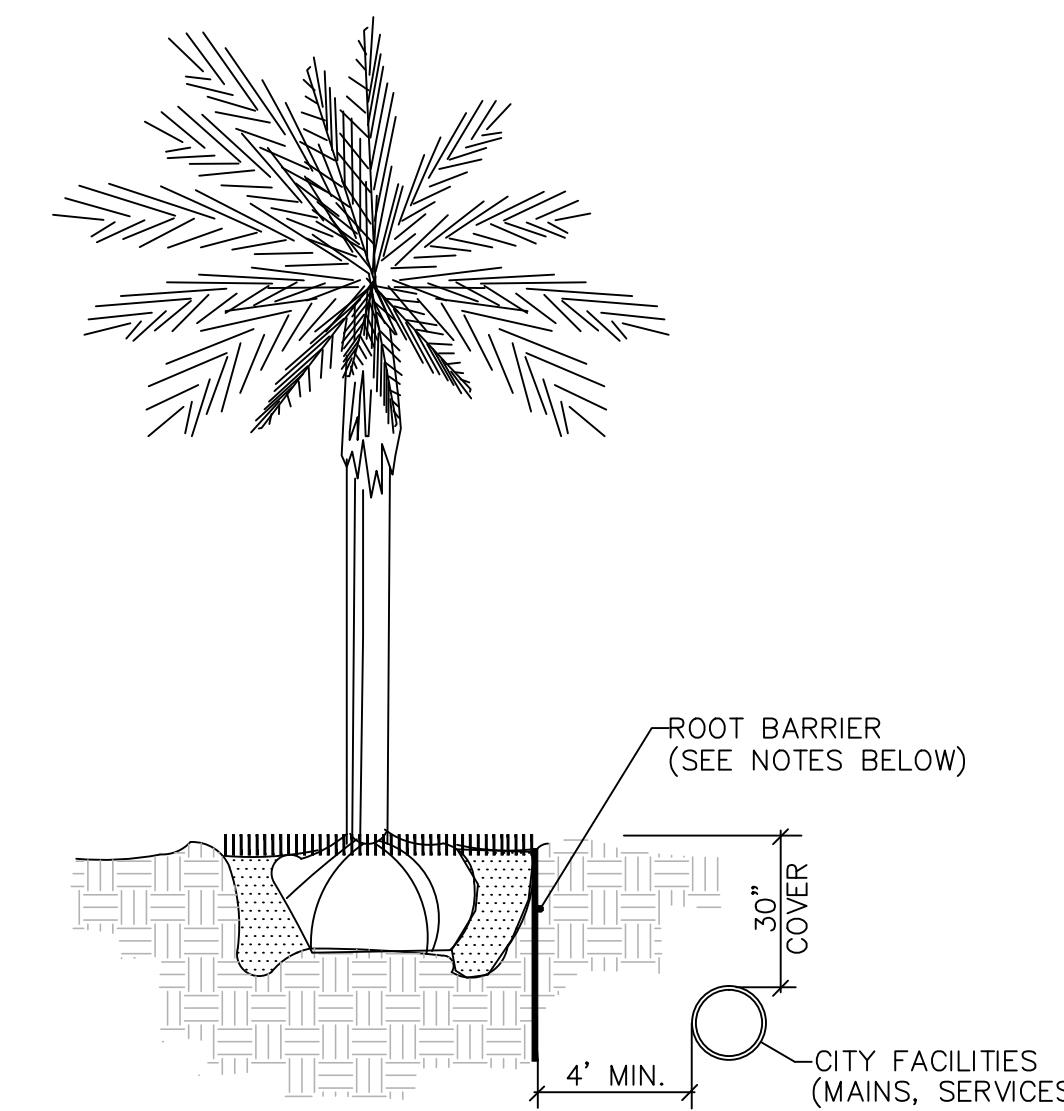
TREES	BOTANICAL NAME	COMMON NAME	CONT B & B	CAL 3" Cal.	SIZE 16'HT X 7' SPR	QTY 6	NATIVE X
CS	Conocarpus erectus sericeus Standard	Silver Buttonwood					
QV	Quercus virginiana	Southern Live Oak	B & B	4" Cal.	16' HT X 7' SPR	1	X
SHRUBS	BOTANICAL NAME	COMMON NAME	CONT.	O.C.	SIZE	QTY	
CR	Chrysobalanus icaco 'Red Tip'	Red Tip Cocoplum	Cont.	30" O.C.	24"X24"	36	X
FG	Ficus microcarpa 'Green Island'	Green Island Ficus	Cont.	24" O.C.	12" HT	65	
SHRUB AREAS	BOTANICAL NAME	COMMON NAME	CONT.	O.C.	SIZE	QTY	
ID	Ilex vomitoria 'Schillings Dwarf'	Dwarf Schillings Holly	Cont.	12" O.C.	10"X10"	160	X
GROUND COVERS	BOTANICAL NAME	COMMON NAME	CONT	O.C.	SIZE	QTY	
SOD	Stenotaphrum secundatum 'Floratam'	Floratam St. Augustine Sod	sod		± 318 sf		



NOTES:

1. ALL ROOT BARRIERS SHALL BE 4' MINIMUM FROM ALL CITY FACILITIES.
2. THE INSTALLATION OF ROOT BARRIERS SHALL BE COORDINATED WITH CITY AND INSPECTED BY CITY PRIOR TO BACKFILLING. ALL ROOT BARRIERS SHALL EXTEND UP TO FINISHED GRADE.
3. ROOT BARRIERS SHALL BE MINIMUM 36" DEEP. APPROVED PRODUCTS INCLUDE "DEEP ROOT" AND "ROOT SOLUTIONS". FLEXIBLE BARRIERS SHALL BE 36" PANELS MANUFACTURED BY BIOBARRIER.
4. ALL ROOT BARRIERS SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURERS WRITTEN INSTRUCTIONS.

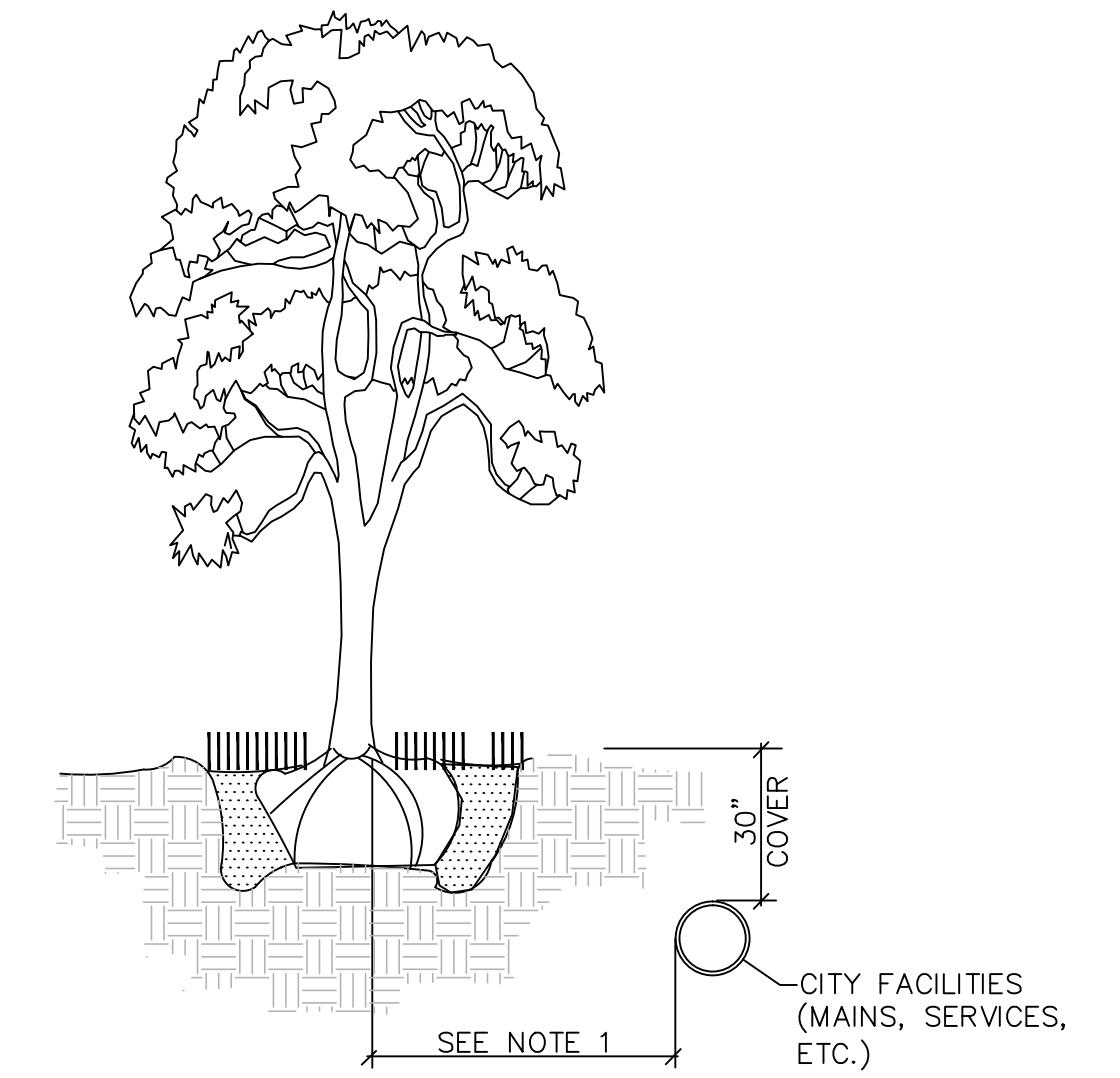
TYPICAL TREE WITH ROOT BARRIER LD 1.1



NOTES:

1. THIS DISTANCE SHALL BE 10' MINIMUM FROM ALL CITY FACILITIES IF NO ROOT BARRIER IS USED.

TYPICAL TREE WITHOUT ROOT BARRIER LD 1.2



CONFIDENTIAL INFORMATION

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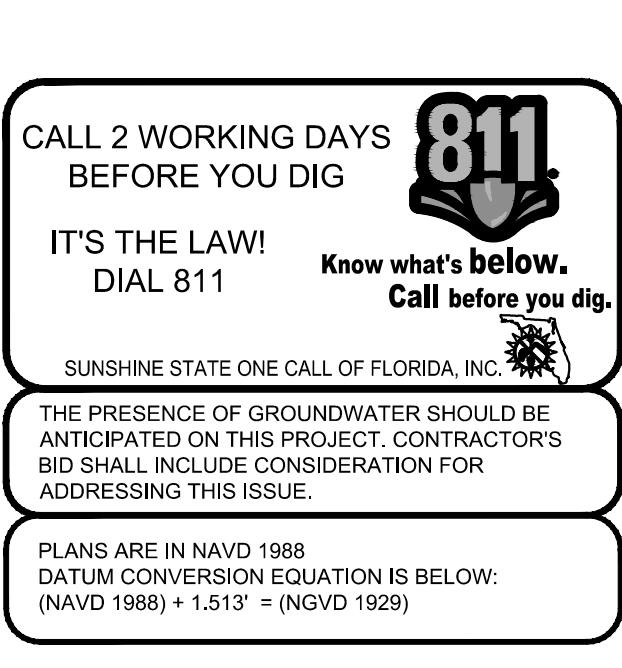
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WWW.KIMLEY-HORN.COM CA 00000696



LANDSCAPE PLAN

CITY OF DELRAY BEACH CODE REQUIREMENTS:	
* ALL CALCULATIONS BASED ON LIMITS OF WORK.	
Total paved area used for parking and accessways:	17,340 sf
Interior green space REQUIRED: 10% of total paved area used for parking and accessways	1,734 sf
Interior green space PROVIDED: 2,230 sf	
Total number of shade trees REQUIRED: 1/125 sf of required interior green space (1,734/125 = 14)	14
Total Number of shade trees PROVIDED: 9	
Perimeter green space REQUIRED: depth of buffer (5') x length =	N/A
Perimeter green space PROVIDED: N/A	N/A
Total number of perimeter trees REQUIRED: 1/30 sf	N/A
Total number of perimeter trees PROVIDED: N/A	N/A
Maximum sod allowance: (1,734 x 70% = 1,213) 70% of required interior and perimeter green space	1,213 sf
Sod area PROVIDED: 318 sf	
Shrubs and ground cover REQUIRED: (1,734 x 30% = 521) 30% of required interior and perimeter green space	521 sf
Shrubs and ground cover PROVIDED: 1,000 sf	
Native plant material REQUIRED: (263 x 25% = 66) 25% of provided shrubs and groundcovers to be native	66
Native shrubs/groundcovers PROVIDED: 198	
Native trees REQUIRED: (14 x 50% = 7) (50% of required trees (interior and perimeter) to be native)	7
Native trees PROVIDED: 7	



PALM COURT PLAZA
TEMPORARY RADIATION
FACILITY
PREPARED FOR
RAD TECHNOLOGY MEDICAL
SYSTEMS, LLC.
FLORIDA
DELRAY BEACH
SHEET NUMBER
L1.00

